



7020-02

## **INTERNATIONAL TRADE COMMISSION**

**[Investigation No. 337-TA-982]**

### **Certain RF Capable Integrated Circuits and Products Containing the Same**

#### **Institution of Investigation**

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on December 15, 2015, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of ParkerVision, Inc. of Jacksonville, Florida.

Supplements to the complaint were filed on December 23, 2015 and January 4, 2016. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain RF capable integrated circuits and products containing the same by reason of infringement of certain claims of U.S. Patent No. 6,879,817 (“the ’817 patent”); U.S. Patent No. 7,929,638 (“the ’638 patent”); U.S. Patent No. 8,571,135 (“the ’135 patent”); and U.S. Patent No. 9,118,528 (“the ’528 patent”). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington,

D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2015).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on January 14, 2016, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain RF capable integrated circuits and products containing the same by reason of infringement of one or more of claims 1, 5-7, 11, and 14 of the '817 patent; claims 1 and 4-8 of the '638 patent; claims 22 and 24 of the '135 patent; and claims 1, 5, 6, 8-10, 17-19, 23, 24, 26-28, and 33-36 of the '528 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

ParkerVision, Inc.

7915 Baymeadows Way Suite 400

Jacksonville, FL 32256

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Apple Inc.

One Infinite Loop

Cupertino, CA 95014

LG Electronics, Inc.

128 Yeoui-Daero

Yeongdeungpo-Gu

Seoul 07336

Republic of Korea

LG Electronics U.S.A., Inc.

1000 Sylvan Avenue

Englewood Cliffs, NJ 07632

LG Electronics MobileComm U.S.A., Inc.

10101 Old Grove Road

San Diego, CA 92131

Samsung Electronics Co., Ltd.

129 Samsung-Ro, Yeongtong-Gu

Suwon-Shi 16677

Republic of Korea

Samsung Electronics America, Inc.

85 Challenger Road

Ridgefield Park, NJ 07660

Samsung Semiconductor, Inc.

3655 N 1<sup>st</sup> Street

San Jose, CA 95134

Qualcomm Incorporated

5775 Morehouse Drive

San Diego, CA 92121

(c) The Office of Unfair Import Investigations, U.S. International Trade  
Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) Pursuant to Commission Rule 210.50(b)(1), 19 C.F.R. § 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. §§ 1337(d)(1), (f)(1), (g)(1);

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: January 15, 2016.

Lisa R. Barton,

Secretary to the Commission.

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